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TAGS: [PHUM](#) [PGOV](#) [KPAO](#) [SG](#)
SUBJECT: SUD FM AFFAIR: SIX JOURNALISTS ACQUITTED, REBEL
LEADER SENTENCED TO FIVE YEARS

REF: A. DAKAR 0082

1B. 05 DAKAR 2659 (NOTAL)

11. (SBU) SUMMARY: Six journalists from the Sud Communications Group were acquitted on January 6 of charges of complicity in endangering Senegal's territorial integrity. In a volte-face, the prosecution joined the defense in requesting that all charges against the journalists be dropped. Movement of Democratic Forces of the Casamance (MFDC) military leader Salif Sadio, who faced the same charge due to an inflammatory interview aired and published by Sud FM/Sud Quotidien in October 2005, was sentenced to a five-year prison term and a fine of \$1,870. An arrest warrant was issued for Sadio, who did not appear in court. Media coverage of the verdicts was extensive but short-lived, an indication that local media seek to put this case behind them and build on its tentative rapprochement with the government. END SUMMARY.

12. (U) At the end of a three-hour trial in Dakar on January 6, a judge threw out all charges against Sud Communications Group President Babacar Toure, Sud FM General Director Oumar Diouf Fall, newspaper Sud Quotidien Director Abdoulaye Ndiaga Sylla, Sud FM-Ziguinchor Bureau Chief Ibrahima Gassama, Sud FM Chief Editor Ndeye Fatou Mborika Sy, and Sud Quotidien Coordinator Madior Fall. In a surprising turn of events, State Prosecutor Lansana Diabe joined the defense in asking that they be acquitted of charges of endangering national security for disseminating an interview with MFDC military leader Salif Sadio. An arrest warrant was issued for Sadio, who was sentenced in absentia to a five-year prison term and a fine of \$1,870.

DEFENDANTS ARTICULATE, UNREPENTANT

13. (U) During the trial, the defendants explained that as professional journalists, they had only carried out their obligation to make information available to the public. Ibrahima Gassama, who conducted the interview in Guinea-Bissau on October 13, said his work served to inform the people of Senegal that Sadio was still alive. (NOTE: For years, persistent rumors had surmised his death. END NOTE.) Gassama, who hosts a radio show in the Casamance capital of Ziguinchor called "Room for Peace," said he wanted to give a voice to an influential member of the MFDC that has been marginalized. During her testimony, Sud FM Chief Editor Sy commented, "I regret that a country like Senegal brings journalists to court to face such accusations...Given the chance, we would all do it again."

MEDIA REACTION A MIX OF RELIEF AND CONCERN

14. (U) The verdict was widely welcomed by local media,

many of which had vociferously protested the government's temporary shutdown of all Sud FM stations, confiscation of Sud Quotidien editions and interrogation of Sud employees after the interview was aired and published on October 17, 2005 (Ref B). The January 7-8 edition of Sud Quotidien opined, "In securing an interview with this rebel, our colleague [Gassama] did nothing more than his job: to seek out information, verify it and place it in the arena of public opinion. ... Information is meaningless unless it is shared. It comes to life in the reader and does not belong to the journalist."

15. (U) The national daily Le Matin editorialized, "The arrest of journalists and the closure of their offices were unjustified and acts against freedom of expression. In addition, the verdict creates more problems than it resolved. ... Sadio's conviction has thrown up an obstacle to the MFDC's reunification ... and distances the rebel leader from the Foundiougne II talks, contrary to [MFDC President] Abbot Diamacoune's stated wish to bring Sadio into the peace process." Sud Quotidien criticized as "inconsistent" the ruling against Sadio and echoed that the judge's decision "effectively drives Sadio away from participation in the peace process."

16. (U) Only one newspaper advocated a counter-offensive against the Government: the national daily L'Observateur commented that "the court essentially ruled that [Interior Minister] Ousmane Ngom violated the law in this affair. ... Now it's time to bring charges against the Ministry of Interior." The pro-government daily newspaper Le Soleil termed the verdict "a happy ending" and quoted Sud Quotidien Coordinator Fall as saying during the trial that "Salif adio is a Senegalese citizen, and he has the right to speak his mind." Media coverage was extensive but

DAKAR 00000086 002 OF 002

short-lived, as there was not a single news story on the so-called "Sud FM Affair" after a wave of coverage during the period January 7-9.

17. (SBU) COMMENT: The outcome of the "Sud FM Affair" is indeed a happy ending for local media, which were quite concerned that this trial heralded a crackdown against freedom of expression in the run-up to elections in 2007. Even before the trial, Information Minister Bacar Dia and even President Wade had made several public signals that the GOS sought a rapprochement with the press, and this verdict lends credibility to their statements. Sud Communications has told Emboff that it has no intention of filing a countersuit, which augers well for continued improvement in relations between the media and the government in Senegal. END COMMENT.

JACKSON